

CHIROPRACTIC EXAMINING BOARD
REGULAR MEETING
OCTOBER 12, 2000

MEMBERS PRESENT: Dale Strama, DC; James Rosemeyer, DC; James Greenwald, DC;
Bevier Hasbrouck Sleight, III, DC

MEMBERS EXCUSED: Char Glocke, Susan Feith

LEGAL COUNSEL: John Schweitzer

STAFF PRESENT: Patrick D. Braatz, Karen Rude-Evans

GUESTS: Brian Elliott, Whyte, Hirschboeck, Dudek, SC; Christina Lemon
and Deborah Russos, WDA; Ron Hermes, WPTA; L. R. Guerin,
DC, Guerin Chiropractic

CALL TO ORDER

Chair Dale Strama called the meeting to order at 9:05 a.m.

APPROVAL OF AGENDA

Amendments: -Completion of response to the Athletic Trainers Affiliated Credentialing Board

MOTION: James Rosemeyer moved, seconded by James Greenwald, to approve the agenda as amended and with the published addendum. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 21, 2000

MOTION: Bevier Sleight moved, seconded by James Rosemeyer, to approve the Minutes of September 21, 2000 as written. Motion carried unanimously.

SECRETARY CUMMINGS

Secretary Cummings was not available.

PRESENTATION OF PROPOSED STIPULATIONS

There were no stipulations to present.

REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND
ADMINISTRATIVE RULES

These reports were informational. John Schweitzer reviewed the administrative rules with the Board.

SUPPORT DELINQUENCY PROGRAM

Patrick Braatz explained the support delinquency program. It becomes effective November 1, 2000.

MOTION: James Rosemeyer moved, seconded by Bevier Sleight, to authorize the Bureau Director, Kimberly Nania, or in her absence, the Division Administrator, Patrick Braatz, or in his absence, the Deputy Secretary, Bill Conway, to sign notices sent to individuals who have been certified to DRL by DWD as being delinquent in support or non-compliant with subpoenas or warrants. Motion carried unanimously.

CORRESPONDENCE RELATING TO CE REQUIREMENTS

This correspondence was informational.

PRECEPTOR APPROVALS

JOSEPH J TEFF, DC

MOTION: James Rosemeyer moved, seconded by Bevier Sleight, to approve to approve Joseph J. Teff, DC, as a preceptor. Motion carried unanimously.

STEVEN A MICKELSON, DC, MARTIN L ERLANDSON, DC, CHRIS R HOUTAKKER, DC, DEAN S SHEPHERD, DC, AND JAMES ROPICKY, DC

MOTION: Bevier Sleight moved, seconded by James Rosemeyer, to approve Steven A. Mickleson, DC, Martin L. Erlandson, DC, Chris R. Houtakker, DC, Dean S. Shepherd, DC, and James Ropicky, DC, as preceptors. Motion carried unanimously.

DANIEL C STRONG, DC

MOTION: Bevier Sleight moved, seconded by James Rosemeyer, to approve Daniel C. Strong, DC, as a preceptor. Motion carried unanimously.

PUBLIC HEARING ON PROPOSED RULES RELATING TO CONTINUING EDUCATION REQUIREMENTS AND PROPOSED RULE CHANGES RELATING TO NUTRITIONAL SUPPLEMENTS

Chair Dale Strama commenced the public hearing at 8:45 a.m. The members of the Board and staff members introduced themselves to the audience. Dr. Jeff Wilder, President of Madison Chiropractic, Dr. Sherry Walker, Dr. Mike McMahon, President, WCA, Lorraine Lewis, Wisconsin Dietetic Association, Dr. Dan Lyons, Dr. Robert Wielock, Russ Leonard, Executive Director, WCA, Dr. Peter Reisch and Dr. Jack Maschke all spoke at the hearing. The Board will take all speakers' comments and all written comments into consideration.

Chair Dale Strama thanked the speakers. The hearing adjourned at 10:15 a.m.

DISCUSSION ON DIETARY COUNSELING

MOTION: Bevier Sleight moved, seconded by James Rosemeyer, to table the proposed rule changes relating to nutritional supplements and dietary counseling indefinitely. All written comments will be reviewed when received. Motion carried unanimously.

DISCUSSION OF UNETHICAL BILLING PRACTICES

The Board would like to contact, or meet with a representative of, the Office of the Insurance Commissioner (OIC), regarding the practice of charging a lesser fee to patients during their insurance deductible period, and then charging a higher fee when the insurance coverage takes over. Does the OIC consider this practice unethical?

The Board has another concern that many insurance companies/HMO's have a capitation on chiropractic care but not on medical care. The Board also wants to address this issue with the OIC.

John Schweitzer will draft a letter to the OIC.

INQUIRIES RECEIVED BY LEGAL COUNSEL

GEBAUER COMPANY/RALPH STILPHEN

Ethyl Chloride and Fluori-Methane sprays may be used, however there is a concern with Fluori-Methane's effect on the ozone.

THE FBI AND HEALTH CARE FRAUD

Mike Berndt will look into the possibility of providing certain information to the FBI in fraud cases.

DISCUSSION OF CONTINUING EDUCATION REQUIREMENTS FOR RECIPROCAL LICENSEES IN THEIR FIRST BIENNIUM

MOTION: James Greenwald moved, seconded by James Rosemeyer, to reaffirm that initial licensees and licensees by reciprocity are not required to meet the CE requirement during their first biennium period of licensure. Motion carried unanimously.

COMPLETION OF RESPONSE TO ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD

Legal counsel will correspond to the ATACB.

RECESS TO CLOSED SESSION

MOTION: Bevier Sleight moved, seconded by James Rosemeyer, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis. Stats., for the purpose of reviewing applications, reviewing case status reports, preparation for November exam and scheduling 2001 exam dates, and consulting with legal counsel. Roll call vote: Dale Strama – yes, James Greenwald – yes, Bevier Sleight – yes, James Rosemeyer - yes. Motion carried unanimously.

Open session recessed at 12:17 a.m.

RECONVENE IN OPEN SESSION

MOTION: Bevier Sleight moved, seconded by James Greenwald, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 1:45 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

CASE STATUS REPORT

MOTION: James Rosemeyer moved, seconded by Bevier Sleight, to close complaint **00 CHI 018** for prosecutorial discretion/compliance gained. Case advisor – James Rosemeyer. Motion carried unanimously.

MOTION: James Greenwald moved, seconded by Bevier Sleight, to close complaint **99 CHI 046** for insufficient evidence. Case advisor – James Greenwald. Motion carried unanimously.

MOTION: Bevier Sleight moved, seconded by James Rosemeyer, to close complaint **97 CHI 026** for insufficient evidence. Case advisor – Dale Strama. Motion carried unanimously.

MOTION: James Greenwald moved, seconded by James Rosemeyer, to close complaint **96 CHI 040** for prosecutorial discretion. Case advisor - Dale Strama. Motion carried unanimously.

MOTION: Bevier Sleight moved, seconded by James Greenwald, to close complaint **99 CHI 083** for prosecutorial discretion. Case advisor – Bevier Sleight. Motion carried unanimously.

APPLICATION REVIEWS

VALERIE J BOHLAND-REIS, DC

MOTION: Bevier Sleight moved, seconded by James Rosemeyer, to approve the endorsement application of Valerie J. Bohland-Reis, DC, and approve Dr. Bohland-Reis to sit for the jurisprudence examination. James Greenwald abstained. Motion carried.

RACHEL DIANE MURAD, DC

MOTION: James Greenwald moved, seconded by Bevier Sleight, approve the endorsement application of Rachel Diane Murad, DC, and approve Dr. Murad to sit for the jurisprudence examination. Motion carried unanimously.

MARK D LUELL, DC

MOTION: Bevier Sleight moved, seconded by James Greenwald, to inform Mark D. Luell, DC, that he must apply for reinstatement with the appropriate application and he will be required to pass both the jurisprudence and practical examinations. Motion carried unanimously.

DONALD E MILLER, DC

MOTION: James Rosemeyer moved, seconded by Bevier Sleight, to approve the endorsement application of Donald E. Miller, DC, and to approve Dr. Miller to sit for both the Wisconsin practical and jurisprudence examinations. Motion carried unanimously.

BRUCE ALVIN CRISMAN, DC

MOTION: James Greenwald moved, seconded by James Rosemeyer, to approve the endorsement application of Bruce Alvin Crisman, DC, and to approve Dr. Crisman to sit for both the Wisconsin practical and jurisprudence examinations. Motion carried unanimously.

SCHEDULE 2001 EXAMINATION DATES

The 2001 examination dates will be March 22, June 28 and December 6.

ADJOURNMENT

MOTION: Bevier Sleight moved, seconded by James Greenwald, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:51 p.m.
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